

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

WENDELL MITCHELL ARMSTEAD, JR.,

Petitioner,

v.

JASON BENNETT,

Respondent.

Case No. C24-1300-RSL

ORDER DISMISSING ACTION

The Court, having reviewed Petitioner's petition for writ of habeas corpus, the Report and Recommendation of S. Kate Vaughan, United States Magistrate Judge, and the remaining record, hereby finds and ORDERS:

(1) The Report and Recommendation is approved and adopted.

(2) Petitioner's petition for writ of habeas corpus (Dkt. # 1-1) and this action are DISMISSED pursuant to 28 U.S.C. § 2244(a), as the petition constitutes an unauthorized second or successive petition and this Court therefore lacks jurisdiction to consider it.

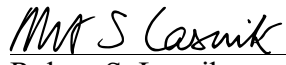
(3) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the United States District Courts, a certificate of appealability is DENIED.

ORDER DISMISSING ACTION  
PAGE - 1

1 (4) Petitioner's application to proceed *in forma pauperis* (Dkt. # 1) and all motions  
2 submitted by Petitioner in conjunction with his petition (Dkts. # 4, 5, 6) are DENIED as moot.

3 (5) The Clerk is directed to send copies of this Order to Petitioner and to the  
4 Honorable S. Kate Vaughan.

5  
6 Dated this 17th day of October, 2024.

7   
8 Robert S. Lasnik  
9 United States District Judge  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23